

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 1:22-cv-22307-BLOOM/Otazo-Reyes

MARIA FERNANDA SOTO LEIGUE,
individually and on behalf of all others similarly
situated,

Plaintiff,

v.

EVERGLADES COLLEGE, INC. d/b/a
KEISER UNIVERSITY,

Defendant.

/

**DEFENDANT EVERGLADES COLLEGE, INC. D/B/A KEISER UNIVERSITY'S
NOTICE OF PENDING, REFILED, RELATED OR SIMILAR ACTIONS**

Defendant Everglades College, Inc. d/b/a Keiser University (“Defendant”), by and through its undersigned counsel, and pursuant to Rule 3.8 of the Local Rules of the United States District Court for the Southern District of Florida, hereby provides notice of a similar action in this District styled *Maria Fernanda Soto Leigue, individually and on behalf of all others similarly situated v. Everglades College, Inc. d/b/a Keiser University*, Case No. 1:21-cv-24267-KMW that was pending before the Honorable Kathleen M. Williams, and which Plaintiff Maria Fernanda Soto Leigue (“Plaintiff”) voluntarily dismissed on April 27, 2022 (the “Prior Action”).

The Instant Action and the Prior Action are similar for the following reasons:

1. The Instant Action and the Prior Action involve the identical parties and the same counsel;
2. In both actions, Plaintiff asserts claims pursuant to the Florida Telephone Solicitation Act, Fla. Stat. § 501.059;

3. Count II of the Complaint in the Instant Action (Instant Action, ECF No. 1) is identical to Count I of the First Amended Complaint in the Prior Action (Prior Action, ECF No. 13); and
4. Defendant's Motion to Dismiss Plaintiff's First Amended Class Action Complaint (Prior Action, ECF No. 17) was pending and fully briefed at the time of Plaintiff's voluntary dismissal of the Prior Action.

The Instant Action therefore involves subject matter that is identical to the Prior Action. Pursuant to Rule IOP 2.15.00 of the Internal Operating Procedures of the United States District Court for the Southern District of Florida, Defendant respectfully submits that transferring the instant action to the Honorable Kathleen M. Williams, who presided over the Prior Action, would avoid "the unnecessary duplication of judicial labor."

Respectfully submitted,

DATED: July 25, 2022

By: /s/ Maria K. Vigilante

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Attorneys for Defendant
EVERGLADES COLLEGE, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was electronically filed on July 25, 2022, with the Clerk of the Court by using the CM/ECF System. I also certify that the foregoing document is being served this day on all counsel of record via transmission of the Notice of Electronic Filing generated by CM/ECF.

/s/ Maria K. Vigilante
Maria K. Vigilante